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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
NGUYEN, LE V	

ART UNIT	PAPER NUMBER
2174	9

DATE MAILED: 07/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/772,606	FERNANDEZ ET AL.	
	Examiner	Art Unit	
	Le Nguyen	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 April 2004* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-45* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☑ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *6* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

1. This communication is responsive to Amendment A, filed 4/7/04.

2. Claims 1-45 are pending in this application; and, claims 1, 4, 7, 9, 16, 22, 27, 32, 38, 42 and 44 are independent claims. This action is made Final.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

4. Claims 1 – 8, 27, 28, 32, 38, 39, and 42 – 45 are rejected under 35 U.S.C. 102(e) as being anticipated by Isreal ("Isreal").

Claim 1:

Isreal (US 6,330,007) teaches a system adapted to size a user interface (UI) element having at least one component that responds to a sizing input (col. 15, lines 10 – 25). Isreal teaches a sizing module adapted to size a first component in response to the sizing input (col. 15, lines 10 – 25). Isreal teaches an alignment module adapted to align a second component within the sized first component (col. 15, lines 10 – 25).

Claim 2:

Isreal teaches the UI element being themed (fig. 15). Labels used for naming the various windows are also UI themes.

Claim 3:

Isreal teaches the first component being a bitmap and the sizing module being adapted to divide the bitmap into a plurality of grids and adjust margins of at least some of the grids to size at least some of the grids of the bitmap (col. 7, lines 25 – 35).

Claim 4:

Isreal teaches a UI element having at least one component in response to a sizing input (col. 15, lines 10 – 25). Isreal teaches receiving the sizing input (col. 15, lines 10 – 25). Isreal teaches dividing a bitmapped first component into a plurality of grids (col. 7, lines 25 – 35). Isreal teaches adjusting the margins of at least some of the grids to size at least some of the grids of the bitmap in response to the sizing input (col. 14, lines 55 – 67). Isreal teaches aligning a second component within the first sized component (col. 14, lines 55 – 67).

Claim 5:

Isreal teaches the UI element being themed (fig. 15).

Claim 6:

Isreal teaches software that requires a computer-readable medium storing computer-executable instructions adapted to perform the method of claim 4 (abstract).

Claim 7:

Isreal teaches a GUI that includes a context that a UI element can be rendered to, a method for rendering a UI element having at least one component that is sized in response to sizing input (col. 15, lines 10 – 25). Alignment is used as a method for sizing input in response to a request to size the said input. Isreal teaches receiving the sizing input (col. 15, lines 10 – 25). Isreal teaches dividing a bitmapped first component into a plurality of grids (col. 7, lines 25

– 35). Isreal teaches adjusting margins of at least some of the grids to size at least some of the grids of the bitmap in response to the sizing input (col. 14, lines 55 – 67). Isreal teaches aligning a second component within the sized first component (col. 14, lines 55 – 67). Isreal teaches rendering the UI element to the context (fig. 15).

Claim 8:

Isreal teaches the UI element being themed (fig. 15).

Claim 27:

Isreal teaches a system adapted to produce a UI element having at least one component (col. 15, lines 10 – 25). Isreal teaches a sizing module adapted to choose a second component of the UI element from a library of second components (col. 15, lines 10 – 25). Isreal teaches an alignment module adapted to align the chosen second component within a first component of the UI element (col. 15, lines 10 – 25).

Claim 28:

Isreal teaches the UI element being themed (fig. 15).

Claim 32:

Isreal teaches producing a UI element having at least one component (col. 15, lines 10 – 25). Isreal teaches choosing a second component of the UI element from a library of second components (col. 15, lines 10 – 25). Isreal teaches aligning the chosen second component within a first component of the UI element (col. 15, lines 10 – 25).

Claim 36:

Isreal teaches software that requires a computer-readable medium having computer-executable instructions adapted to perform (abstract).

Claim 38:

Isreal teaches a GUI including a context that a UI element having at least one component can be rendered to, a method for rendering a UI element (col. 15, lines 10 – 25). Isreal teaches choosing a second component of the UI element from the library of second components (col. 15, lines 10 – 25). The list described herein is a type of library. Isreal teaches aligning the chosen second component with a first component of the UI element (col. 15, lines 10 – 25). Isreal teaches rendering the UI element of the context (col. 15, lines 10 – 25).

Claim 39:

Isreal teaches a UI element that is themed (fig. 15).

Claim 42:

Isreal teaches a system adapted to produce a UI element having at least one component (col. 15, lines 10 – 25). Isreal teaches a sizing a sizing module adapted to choose a second component of the UI element from a library of second components (col. 15, lines 10 – 25). Isreal teaches an alignment module adapted to align the chosen second component within a first component of the UI element (col. 15, lines 10 – 25).

Claim 43:

Isreal teaches a UI element that is themed (fig. 15).

Claim 44:

Isreal teaches a system adapted to produce a UI element having at least one component in response to sizing (col. 15, lines 10 – 25). Isreal teaches a sizing module adapted to choose a second component of the UI element from a library of second components (col. 15, lines 10 –

25). Isreal teaches an alignment module adapted to align the chosen second component within a first component of the UI element (col. 15, lines 10 – 25).

Claim 45:

Isreal teaches a UI element that is themed (fig. 15).

5. Claims 9, 16, 18, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Higgins et al. ("Higgins").

Claim 9:

Higgins teaches adapting to size a bitmapped component of a UI element in response to a sizing input, where the bitmapped component was designed under a particular DPI (col. 4, lines 15 – 35). Higgins teaches a sizing module adapted to size the bitmapped component in response to the sizing input and based upon a functional relationship between the DPI of the context that the UI element being rendered to and the DPI that the bitmapped component was designed under (col. 4, lines 15 – 35).

Claim 16:

Higgins teaches a method for sizing a bitmapped component of a UI element in response to a sizing input, where the bitmapped component was designed under a particular DPI (col. 4, lines 15 – 35). Higgins teaches receiving the sizing input (col. 4, lines 15 – 35). Higgins teaches sizing the bitmapped component in response to the sizing input and based upon a functional relationship between the DPI of the context that the UI element being rendered to and the DPI that the bitmapped component was designed under (col. 4, lines 15 – 35).

Claim 18:

Higgins teaches dividing the bitmap into a plurality of grids (col. 4, lines 15 – 35). Higgins teaches adjusting the margins of the grids to adjust the size of the grids based upon the functional relationship between the DPI of the context that the UI element is rendered to and the DPI that the bitmapped component was designed under (col. 4, lines 15 – 35).

Claim 22:

Higgins teaches a computer system having a graphical user interface including a context that a UI element have a bitmap component being rendered to, a method for rendering the UI element in response to sizing input where the bitmapped component was designed under a particular DPI (col. 4, lines 15 – 35). Higgins teaches receiving sizing input (col. 4, lines 15 – 35). Higgins teaches sizing the bitmapped component in response to the sizing input based upon a functional relationship between the DPI of the context that the UI element is rendered to and the DPI that the bitmapped component it is designed under (col. 4, lines 15 – 35).

Claim Rejections - 35 USC § 103

6. Claims 10 – 15, 17, 19 - 21, and 23 – 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higgins et al. ("Higgins") as applied to claims 9, 16, 18, and 22 above, and further in view of Isreal.

Claim 10:

Higgins fails to teach a UI being themed. Isreal teaches the UI element being themed (fig. 15). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the UI element being themed taught by Isreal with the bitmaps and sizing

disclosed by Higgins. Doing so enables the designing of various windows and other UI elements according to specific purposes.

Claim 11:

Higgins fails to teach the sizing module being adapted to divide the bitmapped component into a plurality of grids and adjusting the size of the grids to size the component. Isreal teaches the sizing module being adapted to divide the bitmapped component into a plurality of grids and adjusting the size of the grids to size the component (col. 14, lines 55 – 67). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the sizing module being adapted to divide the bitmapped component into a plurality of grids and adjusting the size of the grids to size the component taught by Isreal with the bitmaps and sizing disclosed by Higgins. Doing so provides a method for sizing, aligning and positioning output in order to provide a quality presentation.

Claim 12:

Isreal teaches sizing module being adapted to adjust margins of the grids to adjust the size of the grids (col. 14, lines 55 – 67).

Claim 13:

Higgins teaches sizing module being adapted to adjust margins of the grids based upon the functional relationship between the DPI between DPI of the context that the UI element is being rendered to and the DPI that the bitmapped component was designed under (col. 4, lines 15 – 35).

Claim 14:

Isreal teaches sizing modules being adapted to adjust the margins of the grids such that the size of each of the grid share adjusted to both the horizontal and vertical directions (col. 14, lines 55 – 67).

Claim 15:

Higgins teaches the functional relationship between the DPI of the context that the UI element being rendered to and the DPI that the bitmapped component was designed under the ratio of the DPI of the context that the UI element is rendered to the DPI that the bitmapped component was designed under (col. 4, lines 15 – 35).

Claim 17:

Higgins fails to teach a UI being themed. Isreal teaches the UI element being themed (fig. 15). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the UI element being themed taught by Isreal with the bitmaps and sizing disclosed by Higgins. Doing so enables the designing of various windows and other UI elements according to specific purposes.

Claim 19:

Higgins fails to teach adjusting the margins of the grids such that the size of each of the grids is adjusted in both vertical and horizontal directions. Isreal teaches adjusting the margins of the grids such that the size of each of the grids is adjusted in both vertical and horizontal directions (col. 14, lines 55 – 67). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine adjusting the margins of the grids such that the size of each of the grids being adjusted in both vertical and horizontal directions taught by Isreal with

the bitmaps and sizing disclosed by Higgins. Doing so enables allows for the producing of output within the parameter of its corresponding output peripheral.

Claim 20:

Higgins teaches adjusting the margins of the grids based upon the ratio of the DPI of the context that the UI element is rendered to the DPI that the bitmapped component was designed under (col. 4, lines 15 – 35).

Claim 21:

Higgins teaches software that requires a computer-readable medium storing computer-executable instructions adapted to perform the method of claim 20 (abstract).

Claim 23:

Higgins fails to teach a UI being themed. Isreal teaches the UI element being themed (fig. 15). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the UI element being themed taught by Isreal with the bitmaps and sizing disclosed by Higgins. Doing so enables the designing of various windows and other UI elements according to specific purposes.

Claim 24:

Higgins teaches adjusting the margins of the grids to adjust the size of the grids based upon the functional relationship between the DPI of the context that the UI element is rendered to and the DPI that the bitmapped component was designed under (col. 4, lines 15 – 35).

Higgins fails to teach dividing the bitmap into a plurality of grids. Isreal teaches dividing the bitmap into a plurality of grids (col. 14, lines 55 – 67). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine dividing the bitmap into a

plurality of grids taught by Isreal with the bitmaps and sizing disclosed by Higgins. Doing so enables allows for the producing of output within the parameter of its corresponding output peripheral.

Claim 25:

Isreal teaches adjusting the margins of the grids such that the size of each of the grids is adjusted in both vertical and horizontal directions (col. 14, lines 55 – 67).

Claim 26:

Higgins teaches adjusting the margins of the grids based upon the ratio of the DPI of the context that the UI element is rendered to the DPI that the bitmapped component was designed under (col. 4, lines 15 – 35).

7. Claims 29 – 31, 33 – 35, 37, 40, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Isreal et al. ("Isreal") as applied to claims 27, 32, and 38 above, and further in view of Higgins et al. ("Higgins").

Claim 29:

Isreal fails to teach entries within the library being designed under a particular DPI, the sizing module adapted to choose the second component from the library based upon a functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the entries within the library were designed under. Higgins et al (US 5,477,241) teaches entries within the library being designed under a particular DPI, the sizing module adapted to choose the second component from the library based upon a functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the entries within the library were designed under (col. 4, lines 1 – 15). It would have been obvious to one with

ordinary skill in the art at the time of the invention to combine the entries within the library being designed under a particular DPI, the sizing module adapted to choose the second component from the library based upon a functional relationship between the DPI of the context that the UI element are rendered to with DPI that the entries within the library were designed under taught by Higgins with the system adapted to produce a UI element having at least one component disclosed by Isreal. Doing so enables adapting output to the parameters of various output peripherals.

Claim 30:

Higgins teaches the sizing module being adapted to choose the second component from the library based upon the ratio of the DPI of the context that the UI element is being rendered to the DPI that the entries within the library were designed under (col. 4, lines 1 – 15)

Claim 31:

Higgins teaches the sizing module being further adapted to refine the size of the chosen second component based upon the ratio of the DPI of the context that the UI element being rendered to the DPI that the entries within the library being designed under (col. 4, lines 1 – 15).

Claim 33:

Isreal fails to teach entries within the library being designed under a particular DPI along with choosing the second component from the library based upon a functional relationship between the DPI of the context that the UI element is rendered to and the DPI that the entries within the library were designed under. Higgins teaches entries within the library being designed under a particular DPI (col. 4, lines 1 – 15). Higgins teaches choosing the second component from the library based upon a functional relationship between the DPI of the context that the UI

element is rendered to and the DPI that the entries within the library were designed under (col. 4, lines 1 – 15). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the entries within the library being designed under a particular DPI, the sizing module adapted to choose the second component from the library based upon a functional relationship between the DPI of the context that the UI element are rendered to with DPI that the entries within the library were designed under taught by Higgins with the system adapted to produce a UI element having at least one component disclosed by Isreal. Doing so enables adapting output to the parameters of various output peripherals.

Claim 34:

Higgins teaches choosing the second component from the library based upon the ratio of the DPI of the element is being rendered to the DPI that the entries within the library were designed under (col. 4, lines 1 – 15).

Claim 35:

Higgins teaches refining the size of the chosen second component based upon the ratio of the DPI of the context that the UI element is rendered to the DPI that the entries within the library were designed under (col. 4, lines 1 – 15).

Claim 37:

Isreal teaches software that requires a computer-readable medium having computer-executable instructions adapted to perform (abstract).

Claim 40:

Isreal fails to teach entries within the library being designed under a particular DPI along with choosing the second component from the library based upon a functional relationship

between the DPI of the context that the UI element being rendered to the DPI that the entries within the library were designed under. Higgins teaches entries within the library being designed under a particular DPI (col. 4, lines 1 – 15). Higgins teaches choosing the second component from the library based upon a functional relationship between the DPI of the context that the UI element being rendered to the DPI that the entries within the library were designed under (col. 4, lines 1 – 15). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the entries within the library being designed under a particular DPI along with choosing the second component from the library based upon a functional relationship between the DPI of the context that the UI element being rendered to the DPI that the entries within the library were designed under taught by Higgins with the system adapted to produce a UI element having at least one component disclosed by Isreal. Doing so enables adapting output to the parameters of various output peripherals.

Claim 41:

Higgins teaches choosing the second component from the library based upon the ratio of the DPI of the context that the UI element being rendered to the DPI that the entries within the library were designed under (col. 4, lines 1 – 15).

Response to Arguments

8. Applicant's arguments filed in Amendment A have been fully considered but they are not persuasive.

Applicant argued the following:

(a) Nowhere does Isreal et al. teach or suggest utilization of a sizing module to size a first component in response to a sizing input, and thereupon the use of second module to align a second component within the sized first component. Moreover, nowhere in Isreal et al. is it taught or suggested that a bitmapped component can be divided into a plurality of grids to be subsequently used to expand or compress, and align, the bitmapped component according to a received sizing input.

(b) Higgins et al. does not teach or suggest a sizing module that is capable of resizing a bitmapped component in relation to the DPI of the context that the themed element is to be rendered to, while simultaneously accounting for conditions under which the bitmapped component was created, thereby mitigating pixilation and the disproportionate appearance of the resized/scaled elements.

The examiner disagrees for the following reasons:

Per (a), Isreal teaches a sizing module adapted to size a bitmapped first component in response to the sizing input and *an* alignment module adapted to align a second component within the sized first component, wherein the bitmapped first component is divided into a plurality of grids (col. 7, lines 25 – 35; col. 14, line 56 through col. 15, line 25*; i.e. a second component of bitmap type such as the next-to-last visible column is aligned with the right edge of the grid and within the resized (expanded or compressed) first component of predetermined user-selected widths of columns and heights of rows*).

Per (b), in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., mitigating pixilation and the disproportionate appearance of the resized/scaled elements) are not

recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, Higgins teaches a sizing module adapted to size the bitmapped component in response to receiving a command from a user to alter the DPI settings and based upon a functional relationship between the DPI of the context that the UI element is being rendered and the DPI that the bitmapped component was designed (col. 4, lines 15 – 35; *the DPI calibration feature allows a user to set the number of pixels in the display to represent a length of output wherein a pixel is a set of bits that represents a graphic image, with each bit or group of bits corresponding to a pixel in the image*). If by "sizing the bitmapped component in response to the sizing input and based upon a functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the bitmapped component was designed under" applicant meant to allude to a sizing module that would "[mitigate the problem of] pixilation and the disproportionate appearance of the resized/scaled elements", applicant is invited to incorporate such claim language to clarify the issue.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquires

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê whose telephone number is **(703) 305-7601**. The examiner can normally be reached on Monday - Friday from 5:30 am to 2:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306 [Official Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

LVN
Patent Examiner
June 23, 2004

Kristine Kincaid
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